

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOE MARTINEZ, JR.,

Plaintiff,

v.

TYSON POGUE, *et al.*,

Defendants.

1:24-cv-00527-EPG (PC)

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

(ECF No. 6)

AND

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY THE
MADERA COUNTY SHERIFF

Plaintiff Joe Martinez, Jr. is a prisoner proceeding *pro se* pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF No. 6). Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to Plaintiff's trust account. The Madera County Sheriff is required to send to the Clerk of the Court payments from Plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

Accordingly, IT IS ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 6) is **GRANTED**;

2. **The Madera County Sheriff or his designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action.**

3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's *in forma pauperis* application on the Madera County Sheriff located at 2725 Falcon Drive, Madera, CA 93637.

4. The Clerk of the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division.

IT IS SO ORDERED.

Dated: May 16, 2024

/s/ Eric P. Shojan
UNITED STATES MAGISTRATE JUDGE